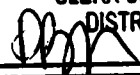


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COUNSEL/PARTIES OF RECORD	
OCT 25 2016	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: 	DEPUTY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLAY THOMAS BERGENDAHL,

Defendant.

3:15-CR-023-LRH-(WGC)

Preliminary Order of Forfeiture

This Court finds that defendant CLAY THOMAS BERGENDAHL pled guilty to Count One of a One-Count Indictment charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Indictment, ECF No. 1; Change of Plea, ECF No. 29.

This Court finds defendant CLAY THOMAS BERGENDAHL agreed to the forfeiture of the property set forth in the Forfeiture Provision of the Indictment. Indictment, ECF No. 1; Memorandum in Support of Defendant's Plea, ECF No. 24; Change of Plea, ECF No. 29.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Provision of the Indictment and the offense to which defendant CLAY THOMAS BERGENDAHL pled guilty.

The following asset is subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1), (a)(2), and (a)(3):

///

1 1. eMachines Laptop Computer, SN LXN64020089453353B1601 containing (1)
2 Western Digital Hard Drive, 160 GB, SN WXA0A9964107
3 (all of which constitutes property).

4 This Court finds the United States of America is now entitled to, and should, reduce the
5 aforementioned property to the possession of the United States of America.

6 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
7 the United States of America should seize the aforementioned property.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
9 of CLAY THOMAS BERGENDAHL in the aforementioned property is forfeited and is vested
10 in the United States of America and shall be safely held by the United States of America until
11 further order of the Court.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
13 America shall publish for at least thirty (30) consecutive days on the official internet government
14 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
15 property, state the time under the applicable statute when a petition contesting the forfeiture must
16 be filed, and state the name and contact information for the government attorney to be served
17 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
18 Section 853(n)(2).

19 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
20 entity who claims an interest in the aforementioned property must file a petition for a hearing to
21 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
22 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
23 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
24 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
25 facts supporting the petitioner's petition and the relief sought.

26 ///

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
2 filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal Building,
3 400 South Virginia Street, 3rd Floor, Reno, NV 89501, no later than thirty (30) days after the
4 notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of
5 the publication on the official internet government forfeiture site, www.forfeiture.gov.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
7 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
8 the following address at the time of filing:

9 Greg Addington
10 Assistant United States Attorney
11 100 West Liberty Street, Suite 600
Reno, NV 89501

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
13 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
14 agency following publication of notice of seizure and intent to administratively forfeit the above-
15 described property.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
17 of this Order to all counsel of record.

18 DATED this 25 day of October, 2016.

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22 UNITED STATES DISTRICT JUDGE
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